

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

REBECCA WHETSTINE

(b) County of Residence of First Listed Plaintiff _____

(c) Attorney's (Firm Name, Address, Telephone Number and Email Address)

Craig Thor Kimmel, Esquire
Kimmel & Silverman, P.C.
30 E. Butler Pike
Ambler, PA 19002
(215) 540-8888

DEFENDANTS

NCO FINANCIAL SYSTEMS, INC.

County of Residence of First Listed Defendant _____

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	PTF	DEF	Citizen of Another State	PTF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 4

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 410 Agriculture	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment of Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truck in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input checked="" type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other		<input type="checkbox"/> 510 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input checked="" type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus:	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 863 DIWC/DIWV (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 865 RSI (405(j))	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
	<input type="checkbox"/> 440 Other Civil Rights			<input type="checkbox"/> 950 Constitutionality of State Statutes
IMMIGRATION				
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee	
			<input type="checkbox"/> 465 Other Immigration Actions	
FEDERAL TAX SUITS				
			<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	
			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
-----------------------------------------------------------	-----------------------------------------------------	----------------------------------------------------------	---------------------------------------------------	------------------------------------------------------------------------------	-----------------------------------------------------	------------------------------------------------------------------------------

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. Section 1692Brief description of cause:
Fair Debt Collection Practices Act

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S)

(See instructions):

JUDGE

DOCKET NUMBER

Explanation:

10-13-10

DATE

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: PO Box 4213, Spanaway, WA 98387

Address of Defendant: 507 Prudential Road, Horsham, PA 19044

Place of Accident, Incident or Transaction:

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations

7. Civil Rights

8. Habeas Corpus

9. Securities Act(s) Cases

10. Social Security Review Cases

11. All other Federal Question Cases 15 U.S.C. § 1692

(Please specify)

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

Craig Therkimbel, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 10-13-10

Craig Therkimbel
Attorney-at-Law

57100

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 10-13-10

Craig Therkimbel
Attorney-at-Law

57100

Attorney I.D.#

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Rebecca Whetstone : CIVIL ACTION
 v. :
 NCO Financial Systems, Inc. : NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()

(f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date

10-13-10

Telephone

215-540-8888

Craig Thor Kimmel
Attorney-at-law

800-863-1689

FAX Number

Rebecca Whetstone
Attorney for

Kimmel@creditlaw.com

E-Mail Address

**IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

REBECCA WHETSTINE,)
Plaintiff)
)
v.) Case No.:
)
NCO FINANCIAL SYSTEMS, INC.,) COMPLAINT AND DEMAND FOR
Defendant) JURY TRIAL
)
) (Unlawful Debt Collection Practices)

COMPLAINT

REBECCA WHETSTINE ("Plaintiff"), by her attorneys, KIMMEL & SILVERMAN, P.C., alleges the following against NCO FINANCIAL SYSTEMS, INC. ("Defendant"):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and 28

1 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising
2 under the laws of the United States.
3

4 3. Defendant conducts business and has an office in the Commonwealth
5 of Pennsylvania and therefore, personal jurisdiction is established.
6

7 4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1).
8

9 5. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and
10 2202.
11

PARTIES

12 6. Plaintiff is a natural person residing in Spanaway, Washington.
13

14 7. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. §
15 1692a(3).
16

17 8. Defendant is a national debt collection company with corporate
18 headquarters located at 507 Prudential Road in Horsham, Pennsylvania, 19044.
19

20 9. Defendant is a “debt collector” as that term is defined in 15 U.S.C. §
21 1692a(6), and repeatedly contacted Plaintiff in an attempt to collect a debt.
22

23 10. Defendant acted through its agents, employees, officers, members,
24 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,
25 representatives, and insurers.
26

1 PRELIMINARY STATEMENT

2 11. The Fair Debt Collection Practices Act (“FDCPA”) is a
3 comprehensive statute, which prohibits a catalog of activities in connection with
4 the collection of debts by third parties. See 15 U.S.C. § 1692 *et seq.* The FDCPA
5 imposes civil liability on any person or entity that violates its provisions, and
6 establishes general standards of debt collector conduct, defines abuse, and provides
7 for specific consumer rights. 15 U.S.C. § 1692k. The operative provisions of the
8 FDCPA declare certain rights to be provided to or claimed by debtors, forbid
9 deceitful and misleading practices, prohibit harassing and abusive tactics, and
10 proscribe unfair or unconscionable conduct, both generally and in a specific list of
11 disapproved practices.

12 12. In particular, the FDCPA broadly enumerates several practices
13 considered contrary to its stated purpose, and forbids debt collectors from taking
14 such action. The substantive heart of the FDCPA lies in three broad prohibitions.
15 First, a “debt collector may not engage in any conduct the natural consequence of
16 which is to harass, oppress, or abuse any person in connection with the collection
17 of a debt.” 15 U.S.C. § 1692d. Second, a “debt collector may not use any false,
18 deceptive, or misleading representation or means in connection with the collection
19 of any debt.” 15 U.S.C. § 1692e. And third, a “debt collector may not use unfair
20 or unconscionable means to collect or attempt to collect any debt.” 15 U.S.C. §

1 1692f. The FDCPA is designed to protect consumers from unscrupulous
2 collectors, whether or not there exists a valid debt, broadly prohibits unfair or
3 unconscionable collection methods, conduct which harasses, oppresses or abuses
4 any debtor, and any false, deceptive or misleading statements in connection with
5 the collection of a debt.

7 13. In enacting the FDCPA, the United States Congress found that
8 “[t]here is abundant evidence of the use of abusive, deceptive, and unfair debt
9 collection practices by many debt collectors,” which “contribute to the number of
10 personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of
11 individual privacy.” 15 U.S.C. § 1692a. Congress additionally found existing
12 laws and procedures for redressing debt collection injuries to be inadequate to
13 protect consumers. 15 U.S.C. § 1692b.

16 14. Congress enacted the FDCPA to regulate the collection of consumer
17 debts by debt collectors. The express purposes of the FDCPA are to “eliminate
18 abusive debt collection practices by debt collectors, to insure that debt collectors
19 who refrain from using abusive debt collection practices are not competitively
20 disadvantaged, and to promote consistent State action to protect consumers against
21 debt collection abuses.” 15 U.S.C. § 1692e.

FACTUAL ALLEGATIONS

15. At all relevant times, Defendant was attempting to collect an alleged consumer debt from Plaintiff.

16. The alleged debt at issue arose out of transactions, which were primarily for personal, family, or household purposes.

17. In or around February 2010, Defendant began constantly and continuously contacting Plaintiff on her home and cellular telephone in an attempt to collect a debt.

18. In those instances where Plaintiff's husband answered the home telephone, Defendant would not identify itself or state the nature of its call, despite his repeated requests.

19. When Defendant eventually spoke with Plaintiff, Defendant requested personal information from Plaintiff, including her date of birth, place of birth, and social security number, without providing Plaintiff with sufficient information about its purpose in contacting her and its need for her personal information.

20. In subsequent calls to Plaintiff, Defendant finally disclosed its purpose in contacting her, but would not provide Plaintiff with its company's name.

21. Plaintiff only learned Defendant's identity by taking the phone

1 number that appeared on her caller ID when Defendant called and querying the
2 phone number on the internet.
3

4 22. Defendant's repeated telephone calls to Plaintiff without identifying
5 itself were harassing, deceptive and unfair to Plaintiff.
6

7 23. In addition to contacting Plaintiff on the telephone in its attempts to
8 collect the alleged debt, Defendant also sent Plaintiff a letter dated February 14,
9 2010. See Exhibit A, Defendant's February 14, 2010, letter.
10

11 24. In its February 14, 2010, letter to Plaintiff, Defendant's demand for
12 payment overshadowed its notification to Plaintiff about her rights to dispute the
13 debt and/or request validation of the debt, which were placed on the back side of
14 the letter. See Exhibit A, Defendant's February 14, 2010, letter.
15

16 25. Moreover, Defendant threatened Plaintiff that if she "fail[ed] to
17 resolve this account, [it] *may* report the account to all national credit bureaus,"
18 leading Plaintiff to believe that her only option was to pay the alleged debt. See
19 Exhibit A, Defendant's February 14, 2010, letter.
20

21 26. Further, Defendant advised Plaintiff that "Franciscan Health System
22 provides financial assistance for low-income patients;" however, the number that
23 it provided Plaintiff for more information was "(800)945-9402", its phone
24 number, causing Plaintiff to believe that this was nothing more than a ruse to get
25 her to contact them. See Exhibit A, Defendant's February 14, 2010, letter.
26

27. Upon information and belief, Defendant sought to collect a debt from Plaintiff despite the fact that it had no knowledge of its validity.

28. Defendant's actions in attempting to collect the alleged debt were harassing, deceptive and unfair.

CONSTRUCTION OF APPLICABLE LAW

29. The FDCPA is a strict liability statute. Taylor v. Perrin, Landry, deLaunay & Durand, 103 F.3d 1232 (5th Cir. 1997). "Because the Act imposes strict liability, a consumer need not show intentional conduct by the debt collector to be entitled to damages." Russell v. Equifax A.R.S., 74 F. 3d 30 (2d Cir. 1996); see also Gearing v. Check Brokerage Corp., 233 F.3d 469 (7th Cir. 2000) (holding unintentional misrepresentation of debt collector's legal status violated FDCPA); Clomon v. Jackson, 988 F. 2d 1314 (2d Cir. 1993).

30. The FDCPA is a remedial statute, and therefore must be construed liberally in favor of the debtor. Sprinkle v. SB&C Ltd., 472 F. Supp. 2d 1235 (W.D. Wash. 2006). The remedial nature of the FDCPA requires that courts interpret it liberally. Clark v. Capital Credit & Collection Services, Inc., 460 F. 3d 1162 (9th Cir. 2006). “Because the FDCPA, like the Truth in Lending Act (TILA) 15 U.S.C. §1601 *et seq.*, is a remedial statute, it should be construed liberally in favor of the consumer.” Johnson v. Riddle, 305 F. 3d 1107 (10th Cir. 2002).

31. The FDCPA is to be interpreted in accordance with the "least sophisticated" consumer standard. See Jeter v. Credit Bureau, Inc., 760 F.2d 1168 (11th Cir. 1985); Graziano v. Harrison, 950 F. 2d 107 (3rd Cir. 1991); Swanson v. Southern Oregon Credit Service, Inc., 869 F.2d 1222 (9th Cir. 1988). The FDCPA was not "made for the protection of experts, but for the public - that vast multitude which includes the ignorant, the unthinking, and the credulous, and the fact that a false statement may be obviously false to those who are trained and experienced does not change its character, nor take away its power to deceive others less experienced." Id. The least sophisticated consumer standard serves a dual purpose in that it ensures protection of all consumers, even naive and trusting, against deceptive collection practices, and protects collectors against liability for bizarre or idiosyncratic interpretations of collection notices. Clomon, 988 F. 2d at 1318.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES
ACT

32. In its actions to collect a disputed debt, Defendant violated the FDCPA, 15 U.S.C. § 1692 *et seq.*, in one or more of the following ways:

- a. Defendant violated of the FDCPA generally;
- b. Defendant violated § 1692d of the FDCPA by harassing Plaintiff in connection with the collection of an alleged debt;

- 1 c. Defendant violated § 1692d(5) of the FDCPA, when it caused the
- 2 Plaintiff's telephone to ring repeatedly or continuously with the
- 3 intent to harass, annoy or abuse Plaintiff;
- 4
- 5 d. Defendant violated § 1692d(6) of the FDCPA by placing
- 6 telephone calls without meaningfully disclosing the caller's
- 7 identity;
- 8
- 9 e. Defendant violated § 1692e of the FDCPA by using false,
- 10 deceptive, or misleading representations or means in connection
- 11 with the collection of a debt;
- 12
- 13 f. Defendant violated § 1692e(10) of the FDCPA by using false
- 14 representations or deceptive means to collect or attempt to collect
- 15 a debt or to obtain information concerning a consumer;
- 16
- 17 g. Defendant violated § 1692f of the FDCPA by using unfair and
- 18 unconscionable means with Plaintiff to collect or attempt to collect
- 19 a debt; and
- 20
- 21 h. Defendant acted in an otherwise deceptive, unfair and
- 22 unconscionable manner and failed to comply with the FDCPA.
- 23
- 24
- 25

1 WHEREFORE, Plaintiff, REBECCA WHETSTINE, respectfully prays for a
2 judgment as follows:

3

4 a. All actual compensatory damages suffered pursuant to 15
5 U.S.C. § 1692k(a)(1);

6 b. Statutory damages of \$1,000.00 for each violation of the
7 FDCPA pursuant to 15 U.S.C. § 1692k(a)(2)(A);

8 c. All reasonable attorneys' fees, witness fees, court costs and
9 other litigation costs incurred by Plaintiff pursuant to 15 U.S.C.
10 § 1693k(a)(3); and

11 d. Any other relief deemed appropriate by this Honorable Court.

12

13 **DEMAND FOR JURY TRIAL**

14 PLEASE TAKE NOTICE that Plaintiff, REBECCA WHETSTINE,
15 demands a jury trial in this case.

16 DATED: 10-13-10

17
18 RESPECTFULLY SUBMITTED,
19 KIMMEL & SILVERMAN, P.C..

20 By: _____
21

22 Craig Thor Kimmel
23 Attorney ID # 57100
24 Kimmel & Silverman, P.C.
30 E. Butler Pike
Ambler, PA 19002
Phone: (215) 540-8888
Fax: (215) 540-8817
Email: kimmel@creditlaw.com



50922875/8

NCO FINANCIAL SYSTEMS, INC.

33400 8TH AVE S. SUITE 100
FEDERAL WAY, WA 98003

February 14, 2010

OFFICE HOURS:

MON & THUR: 8AM - 5PM

TUE & WED: 8AM - 8PM

FRIDAY: 8AM - 4:30PM

11959-14237

PHONE: 800-945-9402

253-838-1712

REBECCA S WHETSTINE
PO BOX 4213
SPANAWAY WA 98387-4014

ST. JOSEPH MEDICAL CENTER

RE: REBECCA S WHETSTINE

RE: 0909305708

DATE OF SERVICE: 04/12/09

BALANCE: \$ 175.00

Our records indicate that your balance of \$175.00 is due in full. It is our intention to work with you to resolve this collection account. However, subject to your dispute and validation rights provided on the reverse side of this letter, if you fail to resolve this collection account, we may report the account to all national credit bureaus.

To assure proper credit, please put our internal account number 50922875 on your check or money order.

Franciscan Health System provides financial assistance for low-income patients. For more information please contact our office at (800)945-9402.

Calls to or from this company may be monitored or recorded for quality assurance.

You may also make payment by visiting us on-line at www.ncofinancial.com. Your unique registration code is f25.24433317.50922875.1028. To receive future notices for the account(s) by e-mail, visit www.ncofinancial.com for details.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This is a communication from a debt collector.

Notice: See Reverse Side For Important Information. See Reverse Side for Federal Validation Notice.
PLEASE RETURN THIS PORTION WITH YOUR PAYMENT (MAKE SURE ADDRESS SHOWS THROUGH WINDOW)

Creditor Reference #: 0909305708, REBECCA S WHETSTINE
NCO Financial Systems, Inc.
33400 8TH AVE S. SUITE 100
FEDERAL WAY, WA 98003
PHONE: 800-945-9402
253-838-1712

Our Account #	Total Balance
50922875	\$ 175.00

Payment Amount

\$

Make Payment To:

NCO FINANCIAL SYSTEMS, INC.
P.O. BOX 15270
WILMINGTON, DE 19850

02555092287560000005500000000000175002

NCO 8 P
14237

